

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TIMOTHY MARTIN,

Plaintiff,

v.

WASHINGTON STATE DEPARTMENT
OF CORRECTIONS, et al.,

Defendants.

CASE NO. C20-0311-BJR-SKV

ORDER SETTING TRIAL DATE
AND RELATED DATES

Having reviewed the Joint Status Report submitted by the parties, Dkt. 94, the Court hereby sets this case for trial before the Honorable Barbara J. Rothstein and orders the following pretrial schedule:

Event	Date
JURY TRIAL SET FOR 9:00 a.m. on	7/15/2024
Non-expert discovery to be completed by	9/29/2023
Disclosure of expert testimony under FRCP 26(a)(2) due	11/27/2023
Disclosure of rebuttal expert testimony under FRCP 26(a)(2) due	1/2/2024
All motions related to expert discovery must be filed by this date and noted for consideration no later than the third Friday thereafter (<i>see</i> LCR 7(d) or LCR 37(a)(2))	1/26/2024

Expert Discovery to be completed by	2/16/2024
All dispositive motions must be filed by this date and noted for consideration no later than the fourth Friday thereafter (<i>see</i> LCR 7(d))	3/18/2024
All motions in limine must be filed by this date and noted for consideration no earlier than the third Friday after filing but no later than the Friday before the pretrial conference (<i>see</i> LCR 7(d)(4))	6/10/2024
Joint Pretrial Statement	6/17/2024
Pretrial conference set for 10:30 a.m.	7/2/2024

The dates set forth in this order are firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If the trial date assigned to this matter creates an irreconcilable conflict, counsel must notify Deputy Clerk, Stefanie Prather, in writing within ten (10) days of the date of this Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

PROCEDURAL INFORMATION

The parties and counsel are encouraged to advise the Court of their pronouns and honorifics (such as Ms., Mx., or Mr.) and may do so in signature lines or by advising the in-court deputy clerk before a hearing begins, either via email or in person.

The Court encourages parties and counsel to be mindful of opportunities for new lawyers (practicing less than seven years) to conduct hearings before the Court, especially where these

1 lawyers drafted or significantly contributed to motions and responses. The Court is aware that
2 having a new lawyer appear may not be appropriate or in the client's best interest in all instances.
3 Therefore, an experienced attorney may supplement a new lawyer's arguments and witness
4 examination questions with their own if necessary.

5 Judge Vaughan does not automatically schedule oral argument upon request. The parties
6 will be contacted if, after reviewing the briefing, Judge Vaughan believes oral argument will be
7 helpful in resolving the motion.

8 Unless otherwise ordered by the Court, a paper copy of the following electronically filed
9 documents (including the Notice of Electronic Filing) must be marked as a "JUDGE'S COPY"
10 and delivered to the Clerk's Office within three business days after the electronic filing:
11
12 dispositive motions and motions for injunctive relief (including all related documents); Social
13 Security administrative records; and any other documents (including all related documents) that,
14 in the aggregate, are in excess of 50 pages.

15 All counsel and unrepresented parties should review Judge Vaughan's web page for
16 further procedural information applicable to cases before Judge Vaughan. Judge Vaughan's web
17 page, in addition to the Local Rules, Electronic Filing Procedures for Civil and Criminal Cases,
18 court forms, instruction sheets, and General Orders, can be found on the Court's website at
19 www.wawd.uscourts.gov.
20

21 COOPERATION

22 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
23 possible. Judge Vaughan strongly encourages parties to make every effort to resolve discovery
24 disputes without the Court's intervention. The Court strictly construes the meet and confer
25 requirements. To the extent motions practice is necessary, Judge Vaughan encourages parties to

1 take advantage of the expedited discovery dispute procedures described in Local Civil Rule
2 37(a)(2). This approach may resolve the dispute in an expedient manner and avoid the extra
3 costs associated with motions practice. The moving party must make reasonable efforts to have
4 all parties to the discovery dispute participate in contacting the Court to request a telephonic
5 motion. *See* Local Civil Rule 7(i). Counsel may contact Stefanie Prather, Courtroom Deputy, by
6 email at stefanie_prather@wawd.uscourts.gov or by telephone at (206) 370-8420 to arrange a
7 telephone conference with the Court.

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9 Counsel are also directed to cooperate in preparing the final pretrial order in the format
10 required by LCR 16.1, except as ordered below.

11 **EXHIBITS**

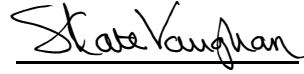
12 The original and one copy of the trial exhibits are to be delivered to Judge Rothstein's
13 Chambers five days before the trial date. Each exhibit shall be clearly marked. The Court
14 hereby alters the LCR 16.1 procedure for numbering exhibits: Plaintiff(s)' exhibits shall be
15 numbered consecutively beginning with 1; defendant(s)' exhibits shall be numbered
16 consecutively beginning with the next number not used by plaintiff. Duplicate documents shall
17 not be listed twice. Once a party had identified an exhibit in the pretrial order, it may be used by
18 any party. Each set of exhibits shall be submitted in a three-ring binder with appropriately
19 numbered tabs.

21 **SETTLEMENT**

22 If this case settles, plaintiff's counsel shall notify Stefanie Prather at (206) 370-8420 or
23 via email at: Stefanie_Prather@wawd.uscourts.gov, as soon as possible. Pursuant to LCR 11(b),
24 an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to
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1 such discipline as the Court deems appropriate. The Clerk is directed to send copies of this
2 Order to all parties of record.

3 Dated this 16th day of May, 2023.

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5 S. KATE VAUGHAN
6 United States Magistrate Judge
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